

111TH CONGRESS
1ST SESSION

H. R. 1887

To establish a Presidential Commission on Women, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2009

Ms. SPEIER (for herself, Mrs. CAPPS, Ms. CLARKE, Mrs. DAHLKEMPER, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Ms. SHEA-PORTER, Ms. TSONGAS, Ms. EDWARDS of Maryland, Mrs. HALVORSON, Ms. KAPTUR, Ms. KILROY, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Ms. MARKEY of Colorado, Ms. WATERS, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Ms. RICHARDSON, Ms. LORETTA SANCHEZ of California, Ms. WASSERMAN SCHULTZ, Ms. SCHWARTZ, Ms. TITUS, Ms. VELÁZQUEZ, Ms. WOOLSEY, and Ms. ESHOO) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To establish a Presidential Commission on Women, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Presidential Commis-
5 sion on Women Act of 2009”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “Presidential Commission on Women” (hereinafter in this
4 Act referred to as the “Commission”).

5 **SEC. 3. FINDINGS AND POLICY.**

6 Congress makes the following findings and statement
7 of policy:

8 (1) It is the role of Government to examine the
9 circumstances that contribute to discrimination, in-
10 equality, and economic hardship faced by women
11 throughout the country.

12 (2) It is the role of Government to establish ini-
13 tiatives and programs that promote equality for
14 women, and protect against discrimination of
15 women, in all areas of public and private life.

16 (3) Women in our country continue to face in-
17 equalities and discrimination in many areas of public
18 and private life, including but not limited to these
19 examples:

20 (A) The United States ranks 71st in the
21 world in the number of women in elected office.
22 In 2009, women make up 17 percent of Con-
23 gress and 24 percent of State legislative office-
24 holders. Women of color make up 4 percent of
25 Congress and 2 percent of State legislative of-
26 fice-holders.

1 (B) Women earn 77 cents on the dollar
2 compared to men. African-American women
3 earn 69 cents on the dollar compared to men.
4 Latinas earn 59 cents compared to men.

5 (C) Of workers earning minimum wage, 68
6 percent are women. Of workers earning less
7 than the minimum wage, 69 percent are
8 women. Nineteen percent of women, as com-
9 pared to 10 percent of men, have annual family
10 incomes of less than \$19,000. Of Fortune 500
11 CEOs, 2 percent are women.

12 (D) With only 76 percent of women in the
13 labor force, the United States ranks sixth from
14 the bottom among industrialized nations.
15 Among college-educated women, the United
16 States ranks last among industrialized nations.

17 (E) While 57 percent of men are employed
18 full-time, only 38 percent of women are em-
19 ployed full-time. Eight out of ten single-parent
20 families are headed by women; 28 percent of
21 people living in female-headed households are
22 living below the poverty line.

23 (F) There is a continuing decline in moth-
24 ers' employment largely due to a lack of sup-
25 port for working parents, such as sufficient

1 paid time off, subsidized child care, or flexible
2 working arrangements. There is also discrimi-
3 nation in the labor market specifically against
4 mothers as well as weakness on the demand
5 side of the labor market in areas that have tra-
6 ditionally employed large numbers of women.

7 (G) One in every four women will experi-
8 ence domestic violence in her lifetime. Eighty-
9 five percent of domestic violence victims are
10 women. The cost of intimate partner violence
11 exceeds \$5.8 billion each year, \$4.1 billion of
12 which is for direct medical and mental health
13 services.

14 (H) Eighteen percent of women in the
15 United States do not have health insurance; 36
16 percent of American Indian/Native Alaskan
17 women are uninsured; 38 percent of Hispanic
18 women do not have health insurance.

19 (I) Women of color are disproportionately
20 affected by the inequalities women face.

21 (J) Gender bias and discrimination remain
22 pervasive in almost all aspects of our culture,
23 including but not limited to the media, family
24 life, the workplace, sports, education, health

1 care, the military, entertainment, and financial
2 matters.

3 **SEC. 4. DUTIES OF THE COMMISSION.**

4 (a) REVIEW REQUIRED.—The Commission shall hold
5 meetings and hearings to—

6 (1) review the status of women nationwide, and
7 the progress made since the establishment of the
8 President’s Commission on the Status of Women in
9 1961;

10 (2) review the role of the Federal Government
11 in aid to, and the promotion of women; and

12 (3) review data collection procedures with re-
13 gard to women Federal initiatives and procurement,
14 with a view toward recommending improvements.

15 (b) CONFERENCE.—The Commission shall, in coordi-
16 nation with the White House Council on Women and
17 Girls, hold a conference (hereinafter in this Act referred
18 to as the Conference) to assist in the review required by
19 subsection (a).

20 (c) RECOMMENDATIONS REQUIRED.—Based on the
21 review required by subsection (a), the Commission shall
22 make recommendations to the President and Congress and
23 conduct oversight of implementation.

1 **SEC. 5. MEMBERSHIP.**

2 (a) IN GENERAL.—The Commission shall be com-
3 posed of 15 members appointed as follows:

4 (1) Four members appointed by the President.

5 (2) Three members appointed by the Speaker of
6 the House of Representatives and two members ap-
7 pointed by the minority leader.

8 (3) Three members appointed by the majority
9 leader of the Senate and two members appointed by
10 the minority leader.

11 (4) The director of the White House Council on
12 Women and Girls, who shall serve ex officio.

13 (b) QUALIFICATIONS.—Appointments under sub-
14 section paragraphs (1) through (3) of subsection (a) shall
15 be made from individuals who are specially qualified to
16 serve on the Commission by virtue of their education,
17 training, or experience, and who are not officers or em-
18 ployees of the Government or Members of Congress.

19 (c) REQUIREMENT FOR APPOINTMENT OF YOUNG
20 WOMEN.—Of the individuals appointed by President
21 under paragraph (1), the Speaker of the House of Rep-
22 resentatives under paragraph (2), and the majority leader
23 of the Senate under paragraph (3) of subsection (a), at
24 least one member appointed under each paragraph shall
25 be a young woman between the ages of 18–24.

1 (d) GEOGRAPHICAL BALANCE.—In making the ap-
2 pointments under subsection (a), the appointing authori-
3 ties should give consideration to achieving a geographical
4 balance.

5 (e) TERM.—Members shall be appointed for 5 years
6 of the Commission, except that, if any member of the
7 Commission becomes an officer or employee of the Federal
8 Government or a Member of Congress, such individual
9 may continue as a member of the Commission for not
10 longer than the 30-day period beginning on the date such
11 individual becomes such an officer or employee or Member
12 of Congress.

13 (f) VACANCIES.—A vacancy in the Commission shall
14 be filled in the manner in which the original appointment
15 was made.

16 (g) PAY.—Members of the Commission shall serve
17 without pay, except members of the Commission shall be
18 entitled to reimbursement for travel, subsistence, and
19 other necessary expenses incurred by them in carrying out
20 the functions of the Commission, in the same manner as
21 persons employed intermittently in the Federal Govern-
22 ment are allowed expenses under section 5703 of title 5,
23 United States Code.

1 (h) QUORUM.—Eight members of the Commission
2 shall constitute a quorum but a lesser number may hold
3 hearings.

4 (i) CHAIRPERSON AND VICE CHAIRPERSON.—The
5 Chairperson and Vice Chairperson of the Commission
6 shall be designated by the President. The term of office
7 of the Chairperson and Vice Chairperson shall be 5 years
8 of the Commission.

9 (j) MEETINGS.—The Commission shall meet not less
10 than 4 times nor more than 6 times each year. Meetings
11 shall be at the call of a majority of its members.

12 **SEC. 6. DIRECTOR AND STAFF OF THE COMMISSION.**

13 (a) DIRECTOR AND STAFF.—(1) The Commission
14 shall have a Director who shall be appointed by the Com-
15 mission. The Commission, with the recommendation of the
16 Director, may appoint and fix the pay of 4 additional per-
17 sonnel.

18 (2) The Director and staff of the Commission may
19 be appointed without regard to section 5311(b) of title 5,
20 United States Code, and without regard to the provisions
21 of such title governing appointments in the competitive
22 service, and may be paid without regard to the provisions
23 of chapter 51 and subchapter III of chapter 53 of such
24 title relating to classification and General Schedule pay
25 rates, except that no individual so appointed may receive

1 pay in excess of the annual rate of basic pay payable for
2 GS-18 of the General Schedule.

3 (b) SERVICES.—The Commission may procure tem-
4 porary and intermittent services under section 3109(b) of
5 title 5 of the United States Code, but at rates for individ-
6 uals not to exceed the daily equivalent of the maximum
7 annual rate of basic pay payable for GS-18 of the General
8 Schedule.

9 (c) DETAILS.—Upon request of the Commission, the
10 head of any department or agency may detail, on a reim-
11 burable basis, any of the personnel of such agency to the
12 Commission to assist the Commission in carrying out its
13 duties under this Act.

14 **SEC. 7. POWERS OF THE COMMISSION.**

15 (a) IN GENERAL.—The Commission may, for the
16 purpose of carrying out this Act, hold such hearings, sit
17 and act at such times and places, take such testimony,
18 and receive such evidence, as the Commission considers
19 appropriate.

20 (b) DELEGATION.—Any member or agent of the
21 Commission may, if so authorized by the Commission,
22 take any action which the Commission is authorized to
23 take by this section.

24 (c) ACCESS TO INFORMATION.—The Commission
25 may secure directly from any department or agency of the

1 United States information necessary to enable it to carry
2 out this Act. Upon request of the Chairperson of the Com-
3 mission, the head of such department or agency shall fur-
4 nish such information to the Commission.

5 (d) USE OF MAILS.—The Commission may use the
6 United States mails in the same manner and under the
7 same conditions as other departments and agencies of the
8 United States.

9 (e) ADMINISTRATIVE SUPPORT.—The Administrator
10 of General Services shall provide to the Commission on
11 a reimbursable basis such administrative support services
12 as the Commission may request.

13 **SEC. 8. CONFERENCE AND CONFERENCE DELEGATES.**

14 The Commission in coordination with the White
15 House Council on Women and Girls shall convene a con-
16 ference of delegates invited by the Commission, who shall
17 be fairly balanced and diverse in terms of geography and
18 ethnicity without regard to political affiliation or past par-
19 tisan activity, who shall include—

20 (1) the directors of commissions for women of
21 the States and local levels of government;

22 (2) elected officials of State and local govern-
23 ments;

24 (3) advocates for women at colleges and univer-
25 sities; and

1 (4) representatives of nonprofit organizations
2 and community-based organizations.

3 **SEC. 9. CONFERENCE ADMINISTRATION.**

4 (a) ADMINISTRATION.—In conducting and planning
5 the Conference, the Commission and the White House
6 Council on Women and Girls shall—

7 (1) request the cooperation and assistance of
8 the heads of such other Federal entities as may be
9 appropriate, including the detailing of personnel;

10 (2) prepare and make available appropriate
11 background materials for the use of delegates to the
12 Conference;

13 (3) employ such personnel, in addition to those
14 appointed under section 6 and without regard to
15 provisions of title 5, United States Code, governing
16 appointments in the competitive service, and without
17 regard to chapter 51 and subchapter III of chapter
18 53 of such title, relating to classification and Gen-
19 eral Schedule pay rates;

20 (4) ensure that the proposed agenda for the
21 Conference is—

22 (A) published in the Federal Register not
23 less than 180 days before the Conference is
24 convened; and

1 (B) made available for public comment for
2 a period of not less than 60 days;

3 (5) ensure that the final agenda for the Con-
4 ference, prepared after the Commission and the
5 White House Council on Women and Girls takes
6 into consideration comments received under para-
7 graph (4), is published in the Federal Register, and
8 transmitted to the chief executive officers of the
9 States, not later than 30 days after the close of the
10 public comment period required by that paragraph;

11 (6) ensure that the personnel employed are fair-
12 ly balanced in terms of their points of view with re-
13 spect to women and are appointed without regard to
14 political affiliation or past partisan activity;

15 (7) the recommendations of the Conference are
16 not inappropriately influenced by any public official
17 or special interest, but instead are the result of the
18 independent and collective judgment of the delegates
19 of the Conference; and

20 (8) ensure that before the Conference is con-
21 vened—

22 (A) current and adequate statistical data
23 (including decennial census data) and other in-
24 formation on the well-being of Women in the
25 United States; and

1 (B) such information as may be necessary
2 to evaluate Federal programs and policies relat-
3 ing to Women; which the Commission may ob-
4 tain by making grants to or entering into agree-
5 ments with, public agencies or nonprofit organi-
6 zations, are readily available in advance of the
7 Conference to the delegates.

8 **SEC. 10. REPORTS.**

9 The Commission shall transmit to the President and
10 to Congress a first report no later than 2 years after the
11 date of the Commission's first meeting. That report shall
12 include a statement of the Commission's objectives and
13 goals for the remainder of the Commission's work. There-
14 after the Commission shall report annually. Each of those
15 annual reports shall contain a statement of any findings
16 and conclusions of the Commission, together with its rec-
17 ommendations for such legislation and administrative ac-
18 tions as it considers appropriate.

19 **SEC. 11. DEFINITION.**

20 In this Act, the term "State" means any of the sev-
21 eral States, the District of Columbia, the Commonwealth
22 of Puerto Rico, Guam, American Samoa, the United
23 States Virgin Islands, and the Commonwealth of the
24 Northern Mariana Islands.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated \$2,000,000.00 to carry out this Act in each of fis-
4 cal years 2011 through 2015.

5 (b) LIMITATION ON APPROPRIATIONS.—Authority
6 provided in this Act to make expenditures or to enter into
7 contracts under which the United States is obligated to
8 make outlays shall be effective only to the extent that
9 amounts are provided, and only to the extent of the
10 amounts provided, in advance in appropriations Acts.

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